

RESOLUTION 2026-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA ESTABLISHING THE DUTIES, RESPONSIBILITIES, AND TERMS OF THE MEASURE “E” INDEPENDENT COMMUNITY OVERSIGHT COMMITTEE INCLUDING AN AMENDED MEETING SCHEDULE

WHEREAS, on November 8, 2016, the voters of the City of Fortuna adopted a local transactions and use tax ("sales tax") through an affirmative vote on a local measure known as Measure E; and

WHEREAS, the citizens of the City of Fortuna have a strong interest in transparency and accountability for expenditure of funds derived from this local sales tax; and

WHEREAS, Ordinance 2016-726, by which the City Council placed Measure E before the voters of this City, establishes an Independent Community Oversight Committee (Measure E Committee) to review the expenditure of the revenue from this transactions and use (sales) tax "; and

WHEREAS, the City Council may appoint commissions or committees of citizens to make reports and recommendations to the board pursuant to Fortuna Municipal Code 2.20; and

WHEREAS, on January 16th 2017, Resolution 2017-03 established the initial duties and responsibilities of the Measure E Committee; and

WHEREAS, on March 20th 2017, Resolution 2017-09 further established the duties and responsibilities of the Measure E Committee; and

WHEREAS, on January 22, 2020, Resolution 2020-09 further established the duties and responsibilities of the Measure E Committee; and

WHEREAS, on April 1, 2024, Resolution 2024-07 further established the duties and responsibilities of the Measure E Committee; and

WHEREAS, At the Measure E meeting on January 21, 2026, the committee discussed and recommended staff amend the regular meeting dates of the committee as reflected in this Resolution under Section 7. “Meetings”, and

WHEREAS, the City Council desires to further establish the duties and responsibilities of the Measure E Committee to review the expenditure of the revenue from this transactions and use (sales) tax funds derived from the local sales tax imposed pursuant to Measure E;

NOW, THEREFORE, the City Council of the City of Fortuna does hereby resolve as follows:

1. COMMITTEE

The Measure E independent community oversight committee (Committee) is hereby established.

2. PURPOSE

The purpose of the Committee is to assist the City Council in taking public input and review staff recommendations on the expenditure of funds derived from the local sales tax imposed pursuant to Measure E.

3. DUTIES & RESPONSIBILITIES

- a. Review requests for funding from City departments.
- b. Conduct public hearings to examine the requests and weigh the value of the various proposals.
- c. Make recommendations based on the proposals received, for the expenditures that should be funded given the projected amount of revenue to be derived from the local sales tax to the City Council for inclusion in the annual budget.
- d. Become familiar with current and projected City revenues and expenditures.
- e. First meeting of every calendar year, provide a forum for public expression of desires regarding expenditure of funds derived from the local sales tax.

4. MEMBERSHIP

The Committee shall be composed of seven (7) voting members, who shall be appointed by the City Council. Four (4) of those members must be qualified electors of the City of Fortuna and three members MAY be chosen from qualified individuals outside of the City who own a business within the City limits of Fortuna. *A quorum of the committee (4 members) must be made up of qualified electors.*

5. TERM OF OFFICE

The City Council will make the appointments to the committee with staggered terms as follows:

- a. Two (2) members at two (2) years
- b. Three (3) members at three (3) years
- c. Two (2) members at four (4) years

Members shall serve at the pleasure of the City Council. There shall be no restrictions on reappointment of members for successive terms.

6. OFFICERS AND THEIR DUTIES

The members of the Committee shall select a Chair and a Vice Chair at the first meeting of every two years. The Chair shall preside at all meetings and shall provide the agenda for such meetings. The Vice Chair shall preside in the absence of the Chair and shall assist the Chair in the conduct of his/her office. There shall be no restrictions on successive terms.

A staff member designated by the City Manager shall serve as clerk to the committee and shall keep the minutes of all meetings, prepare correspondence under the direction of the Chair or Vice Chair, send notices of meetings, maintain membership lists, and maintain the files of the committee. This staff member shall not be a member of the committee and shall have no vote on any item to come before the committee.

7. MEETINGS

The Committee shall hold regular meetings the second Wednesday in the months of January, April, October, and the third Wednesday of April. Meetings will commence at 5:30 pm as agreed upon by the committee. Special meetings shall be held as needed.

Special meetings shall be called by the Chair or, in his/her absence, by the Vice Chair. Special meetings shall be effective for the transaction of business only if notice has been given to the public and each member

at least forty-eight (48) hours in advance of the special meeting, and the notice shall contain the subject of the special meeting.

No action taken at either regular or special meetings shall be valid unless approved by a majority of the members of the committee present and voting, and unless a quorum is present.

A quorum shall consist of four (4) members of the committee. In the event that fewer than four (4) of the voting members of the committee are present, no discussion shall be heard nor any action taken.

8. REMOVAL OF MEMBERS FOR FAILURE TO ATTEND MEETINGS

In the event that any member of the Committee shall absent himself/herself from three (3) consecutive regular meetings of the committee without showing good cause therefore to the Chair, at the fourth such consecutive regular meeting from which he/she is absent his/her place shall automatically become vacant. Such vacancy shall be reported to the City Council which shall appoint another member for the unexpired term of the member whose absence gave rise to the vacancy.

9. OPEN MEETING REQUIREMENT

The Committee meetings shall be open to the public and subject to the Ralph M. Brown Act (Government Code commencing with Section 54950). The Committee shall carry out its functions in accordance with procedures established by the City Council, or in the absence of such procedures, shall establish its own procedures consistent with State and local law and Robert's Rules of Order. The committee shall obtain input and advice from appropriate City staff in carrying out its duties.

10. CONFLICT OF INTEREST CODE

The Committee shall comply with all applicable laws regarding conflict of interest, including the Political Reform Act (Government Code commencing with Section 81000) and the City of Fortuna Conflict of Interest Code.

11. EFFECTIVE DATE

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED on this 2nd day of February 2026 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mike Johnson, Mayor

ATTEST:

Siana Emmons, City Clerk